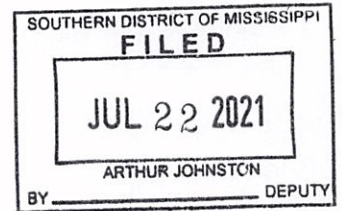


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



ASHLEY M. WOODRUFF

PLAINTIFF

VERSUS

CIVIL ACTION NO.: 1:21cv248 HSO-JCG

CMH HOMES, INC.

DEFENDANT

NOTICE OF REMOVAL

CMH Homes, Inc., Defendant in the above captioned action, files this Notice of Removal to the United States District Court for the Southern District of Mississippi, Southern Division, pursuant to 28 U.S.C. §1331(a) and 28 U.S.C. §1441(b). In support, CMH Homes, Inc. says:

1. Plaintiff Ashley Woodruff, also known as Ashley Moore Woodruff, filed Civil Action No. 55CI1:21-CV-73-PH in the Circuit Court of Pearl River County, Mississippi styled “Ashley Woodruff, Plaintiff v. CMH Homes, Inc., Defendant.” The Defendant was served with a copy of summons and complaint in that action on June 23, 2021.

2. The complaint asserts claims for personal injury sounding in negligence related to her ownership and occupation of that certain manufactured home bearing Serial No.: CS2024486TNAB sold by CMH Homes, Inc. to Ashley Woodruff pursuant to sales agreement dated April 23, 2019.

3. The Plaintiff’s complaint contains allegations that she slipped and fell on steps negligently constructed or installed by or on behalf of the Defendant resulting in medical bills, lost wages, and other special damages. She has made successive demands to the Defendant by and through her counsel for amounts in compensation exceeding the sum of \$75,000.00.

4. The Plaintiff is an adult resident citizen of Pearl River County, Mississippi whose address is 36 Wolf Ridge Lane, Poplarville, MS 39470. The Defendant is a Tennessee corporation,

organized and existing under the laws of that state, domiciled and with principal place of business at 5000 Clayton Road, Maryville, TN 37804.

5. Attached to this Notice of Removal as Exhibit "A" is the Declaration of Mark Fitzgerald, Regional Vice-President of CMH Homes, Inc., with copies of correspondence from counsel for the Plaintiff with settlement demands and recommendations addressed to the Defendant attached as Exhibits A-1 and A-2 thereto. True and correct copies of state court pleadings and papers served on the Defendant CMH Homes, Inc. are attached to this Notice of Removal as Exhibit "B". True and correct copies of pleadings and other papers in the court file for Civil Action No.: 55CI1:21-CV-73-PH in the Circuit Court of Pearl River County, Mississippi are attached to this Notice of Removal as Exhibit "C".

6. There is diversity of citizenship between the Plaintiff and the Defendant, the amount in controversy in this case is expressly acknowledged by the Plaintiff and exceeds the sum of \$75,000.00, exclusive of interest and costs. This action is subject to removal to the United States District Court for the Southern District of Mississippi, Southern Division, pursuant to the provisions of 28 U.S.C. §1332(a) and 28 U.S.C. §1441(b).

7. CMH Homes, Inc. request that this Notice of Removal to this Court be received and filed and that Civil Action No.: 55CI1:21-CV-73-PH in the Circuit Court of Pearl River County, Mississippi, proceed no further unless the case be remanded.

RESPECTFULLY SUBMITTED this the 22 day of July 2021.

CMH HOMES, INC. DEFENDANT

BY:

James L. Quinn
JAMES L. QUINN, ITS ATTORNEY

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CERTIFICATE OF SERVICE

I, James L. Quinn, do hereby certify that on 22 day of July, 2021, I electronically filed the foregoing Notice of Removal with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

M. Scott Bishop, Esq.
Morris Bart, Ltd.
1712 15th Street, Suite 300
Gulfport, MS 39501

THIS the 22 day of July, 2021.



JAMES L. QUINN